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DEPARTMENT OF ENVIRONMENTAL QUALITY

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Application for Radioactive Materials License

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Deemed Complete

6

And The Associated Environmental Assessment

7

Statement

8

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FOR

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Premier Environmental, LLC

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NORM Disposal Facility

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Bohemia, Plaquemines Parish, Louisiana

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Agency Interest Number: 50593

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Activity Number: LIC20050001

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The public hearing in the above titled
matter was taken at the Belle Chase High School
Theater, 8346 Hwy. 23, Belle Chase, Louisiana,
beginning at 6:00 p.m. on March 21, 2006.

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BEFORE: R. Aaron Palmer, Certified Stenomask
Reporter In and For the State of
Louisiana

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H E A R I N G

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MR. BEARD:

Good evening! Let the record reflect that the time is 6:01 p.m. My name is Steven Beard. I'm employed with the Louisiana Department of Environmental Quality. I will be serving as the hearing officer this evening, Tuesday, March 21, 2006.

This hearing is scheduled to accept public comments concerning the Application for a Radioactive Material License that has been Deemed Complete and the associated Environmental Assessment Statement for Premier Environmental, LLC, 628 Village Lane South, Mandeville, Louisiana 70471 for the proposed Naturally Occurring Radioactive Material (NORM) Disposal Facility, Agency Interest Number 50593 and Activity Number LIC20050001. The proposed site is to be located at 20487 Highway 15, in Section 1 T17S, R15E, at the end of State Highway 39 in Bohemia, Plaquemines Parish.

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Premier Environmental, LLC submitted an application for a new disposal facility for commercial

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5 Exploration and Production (E&P) waste
6 containing regulated levels of Naturally
7 Occurring Radioactive Material (NORM).
8 The facility will use the deep well
9 injection disposal method for the
10 processed NORM material from gas
11 drilling products and related
12 activities. The main radioisotopes are
13 Radium-226 (226Ra), Radium-228 (228Ra),
14 and the associated daughter product and
15 Lead-210 (210Pb).
16 The application provides a
17 detailed plan as required by LDEQ,
18 Emergency and Radiological Service
19 Division (ERSD) for the operation,
20 personnel training and safety, and
21 emergency contingencies for preparation
22 and deep well injection of NORM waste.
23 The facility will consist of an off
24 loading area and three restricted areas,
25 a NORM Waste Storage area, a NORM Waste

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1 Preparation Area and a NORM Waste
2 Injection area.

3 The quantities of NORM material in
4 slurry form to be injected into the well
5 are estimated to be between 1800 and
6 2000 barrels per day as noted in their
7 DNR permit application.

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8 The Environmental Assessment
9 Statement (EAS) submitted by the
10 applicant addresses avoidance of
11 potential and real environmental
12 effects, balancing of social and
13 economic benefits against environmental
14 impact costs, and alternative sites,
15 projects and mitigate measures.
16 This hearing is not been conducted
17 in a answer in question-and-answer
18 format. Please remember that the
19 purpose of this public hearing is for
20 DEQ to receive your comments concerning
21 the Application for Radioactive Material
22 License that has been Deemed Complete
23 and the associated Environmental
24 Assessment Statement.
25 This hearing is to provide all

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1 individuals a chance to be heard
2 regardless of their position on the
3 Deemed Complete Application and the
4 associated Environmental Assessment
5 Statement.
6 Courteous behavior is expected of
7 everyone at all times. You may speak in
8 support of the license; in opposition to
9 the license; or simply to provide
10 additional information. All interested

11 deq.txt
12 parties will be given a reasonable
13 opportunity to comment unless testimony
14 is not related to the purpose of the
15 hearing. Your comments will be
16 evaluated and addressed in the
17 Department's written response.
18 A public notice requesting public
19 comment on the Deemed Complete
20 Application and associated Environmental
21 Assessment Statement, and advertising
22 this public hearing was published in
23 "The Advocate" of Baton Rouge, "The
24 Times-Picayune" of New Orleans and "The
25 Plaquemine Gazette" of Belle Chase on
 Friday, February 10, 2006, and Friday,

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1 February 17, 2006.
2 A copy of the Deemed Complete
3 Application and the associated
4 Environmental Assessment Statement is
5 available for inspection and review at
6 the LDEQ, Public Records Center, Room
7 127, 602 North 5th Street, Baton Rouge,
8 Louisiana. Viewing hours are 8:00 a.m.
9 to 4:30 p.m., Monday through Friday,
10 except holidays.
11 Additional copies are also
12 available for review at the Plaquemines
13 Parish Library, Belle Chasse Branch,

14 deq.txt
15 8442 Highway 23, Belle Chasse, Louisiana
16 70037, and the New Orleans Public
17 Library Headquarters, 219 Loyola Avenue,
18 New Orleans, Louisiana 70112. Also the
19 information can be viewed on the LDEQ
20 Permits Public Notice Web Page at
21 www.deq.state.la.us/news/PubNotice/. In
22 addition, copies of the public notice
23 were mailed to individuals who have
24 requested to be placed on the mailing
25 list maintained by the Office of
 Environmental Services on February 10,

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1 2006.
2 In accordance with Louisiana
3 Administrative Code, Title 33, Part XV,
4 Section 116.A.4.a.v, comments received
5 by 12:30 p.m., Thursday, March 30, 2006,
6 will be considered prior to a final
7 decision. All comments received by
8 12:30 p.m., Thursday, March 30, 2006,
9 shall be retained by the Department and
10 considered in determining whether to
11 issue or deny the radioactive material
12 license for Premier Environmental, LLC.
13 Written comments on this Deemed Complete
14 Application and the associated
15 Environmental Assessment Statement may
16 be submitted to Ms. Soumaya Ghosn, LDEQ-

17 deq.txt
18 Office of Environmental Services,
19 Environmental Assistance Division, P.O.
20 Box 4313, Baton Rouge, Louisiana 70821-
 4313.

21 Under Louisiana Revised Statutes
22 30:2017, as revised by the legislature
23 in the 2004 session, the Department is
24 required to follow the following order
25 with the provision that the presiding

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1 officer may give preference to a public
2 official to speak at any time during the
3 hearing. However, any time limit set
4 for citizen testimony shall apply to
5 public officials. The department must
6 provide up to 30 minutes to the permit
7 applicant for an introductory
8 presentation. Thereafter, preference
9 for speaking up to one hour is given as
10 follows: for the first hour, to those
11 citizens who live within a two-mile
12 radius of the location of the facility;
13 for the second hour, to those citizens
14 who work within a two-mile radius of the
15 location of the facility; and for the
16 third hour, to those citizens who live
17 within the parish of the location of the
18 facility.

19 Thereafter, each hour of the

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20 hearing shall alternate between those
21 who are in support of the Deemed
22 Complete Application and associated
23 Environmental Assessment Statement, and
24 those who are opposed to the Deemed
25 Complete Application and associated

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1 Environmental Assessment Statement. The
2 order of tonight's hearing will be based
3 on the information provided by the
4 speaker on the registration form.
5 Anyone who registered to speak but did
6 not provide the necessary information
7 will be given the opportunity to speak;
8 however, they will be called last in the
9 order of registration.

10 This hearing is being transcribed;
11 therefore, I will ask that each speaker
12 begin by stating for the Record their
13 name, address, and any organization he
14 or she may represent.

15 At this time, I will ask the
16 permit applicant's representative to
17 come forward and make their introductory
18 presentation.

19 MR. POWELL:

20 Good afternoon, my name is Steve
21 Powell. I'm with Premier Environmental.
22 My address is 629 Village Lane South,

23 deq.txt
24 Mandeville, Louisiana. Basically, I
25 wanted to let everybody know here that
 I'm a long-term resident of Louisiana,

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1 and my family in particular goes back to
2 the 1800's in Plaquemines Parish. I
3 have a lot of property in Plaquemines
4 Parish. And this particular property is
5 where my fishing camp is located, so I
6 plan on spending a lot of time there for
7 a long period.

8 Basically, I wanted to let you
9 know a little bit about the facility.
10 Premier Environmental, LLC has designed
11 and applied for a permit to operate a
12 commercial exploration production oil
13 field waste injection facility to pump
14 waste containing regulated levels of
15 natural occurring radioactive material
16 (NORM) into deep well.

17 The subject facility was designed
18 as a superior alternative to the current
19 approved method: diluting NORM with non-
20 contaminated materials to a level which
21 can be spread on the ground. This type
22 of facility is a proven and
23 technologically safe means to inject
24 into a deep well NORM containing
25 expiration production waste that has

1 been accepted and recognized by
2 industry, government agencies, and the
3 public is the single best method to
4 manage potentially harmful waste in the
5 interest in the public and the
6 environment.

7 This type of injection process is
8 further edified by the United States
9 Environmental Protection Agency by both
10 Jane N. Saginaw, Regional Administrator,
11 and Philip Dellinger, Chief
12 Groundwater/UIC Section, as noted in the
13 May 14, 1997 - May 8, 1997
14 correspondence. I quote, "The
15 technology of underground injection is
16 proven and accepted as one of the most
17 effective methods of safe fluid waste
18 disposal."

19 The Louisiana Department of
20 Environmental Quality concurs with the
21 EPA on this issue as noted with a quote
22 from the DEQ's record of decision for
23 Chevron USA, Inc., License Number:
24 LA7818-S01, dated July 7, 1997 by Mr.
25 Gustave Von Bodungen - excuse me if I

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1 mispronounced that - Assistant
2 Secretary for the Office of Air Quality
3 and Radiation Protection. I quote, "The
4 Department believes that there are no
5 alternative projects or technologies
6 which offer more protection for the
7 environment than this proposed injection
8 road." That's pretty much what I have
9 to say. Thank you very much for your
10 time.

11 MR. BEARD:

12 Thank you. Okay. I will now
13 begin by allowing all persons who have
14 signed up to speak five minutes in which
15 to present their comments. Anyone who
16 needs more than five minutes will be
17 allowed to finish his or her comments
18 after all the registered speakers have
19 had the opportunity to speak.

20 The first to speak will be those
21 citizens who live within a two-mile
22 radius of the location of the facility.
23 Is anyone fitting in this category
24 present?

25 Okay. The next group of speakers

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1 will be those who work within a two-mile
2 radius of the location of the facility.
3 Are there any speakers who fit this

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4 category?

5 Next, are those citizens who live
6 within the parish of the location of the
7 facility. Any speakers in this
8 category?

9 At this time, I would like to call
10 on those citizens who are in support of
11 the Deemed Complete Application and the
12 associated Environmental Assessment
13 Statement, followed by those citizens
14 who are opposed to the Deemed Complete
15 Application and the associated
16 Environmental Assessment Statement.

17 Okay. Are there any other
18 comments? I would like to remind you
19 that the comment period for this
20 Application for Radioactive Material
21 License Deemed Complete and the
22 associated Environmental Assessment
23 Statement for Premier Environmental,
24 LLC, NORM Disposal Facility, Bohemia,
25 Plaquemines Parish, Louisiana, ends at

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1 12:30 p.m., Thursday, March 30, 2006.

2 Due to the situation in
3 Plaquemines Parish after the hurricanes
4 and to assure a better opportunity for
5 the public to attend this public
6 hearing, LDEQ will hold this public

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7 hearing again on Monday, March 27, 2006
8 in Baton Rouge, LA to receive comments
9 regarding the proposed license for
10 Premier Environmental, LLC.

11 For the Record, I received a total
12 of zero exhibits during this hearing.
13 If there are no other comments, I would
14 like to thank you for your attention and
15 participation in this hearing. Let the
16 Record reflect that the time 6:15 p.m.
17 This hearing is now closed.

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19 WHEREUPON, AT 6:15 P.M. THE HEARING ENDED

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1 R E P O R T E R ' S P A G E

2 I, R. Aaron Palmer, Certified Court
3 Reporter, in and for the State of Louisiana,
4 the officer, as defined in Rule 28 of the
5 Federal Rules of Civil Procedure and/or
6 Article 1434(b) of the Louisiana Code of Civil
7 Procedure, before whom this sworn testimony
8 was taken, do hereby state on the record:

9 That due to the interaction in the
Page 13

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10 spontaneous discourse of this proceeding,
11 dashes (--) have been used to indicate pauses,
12 changes in thought, and/or talk overs; that
13 same is the proper method for a Court
14 Reporter's transcription of proceeding, and
15 that the dashes (--) do not indicate that
16 words or phrases have been left out of this
17 transcript.

18 Also, any words and/or names which could
19 not be verified through reference material
20 have been denoted with the phrase
21 "(inaudible)."

22
23 _____
24 R. Aaron Palmer, C.C.R.
25 #25021

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2 C E R T I F I C A T I O N
3 I, the undersigned reporter, do hereby
4 certify that the above and foregoing is a true
5 and correct transcription of the stenomask
6 tape of the proceedings had herein, taken down
7 by me and transcribed under my supervision, to
8 the best of my ability and understanding, at
9 the time and place hereinbefore noted, in the
10 above-entitled cause.

11 I further certify that the witness was
12 duly sworn by me in my capacity as a Certified

deq.txt

13 Court Reporter pursuant to the provisions of
14 R.S. 37:2551 et seq. in and for the state of
15 Louisiana; that I am not of counsel nor
16 related to any of the counsel of any of the
17 parties, nor in the employ of any of parties,
18 and that I have no interest in the outcome of
19 this action.

20 I further certify that my license is in
21 good standing as a court reporter in and for
22 the state of Louisiana.

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R. Aaron Palmer, C.C.R.

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